

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

HAYWARD INDUSTRIES, INC.

Plaintiff,

V.

**R&P POOLS INC. d/b/a LEISURE
LIVING d/b/a POOLSUPPLIES.COM,
FOUR SEASONS POOL SUPPLY, AMZ
POOL SUPPLY and SAVE MORE ON
POOL SUPPLIES,**

Defendants.

:
: **Civil Action No. 2:20-CV-09647-SRC-CLW**

PRETRIAL SCHEDULING ORDER

THIS MATTER having come before the Court for a scheduling conference pursuant to Rule 16 of the Federal Rules of Civil Procedure on **November 18, 2020**, and the parties having reviewed the Court's Civil Case Management Order as well as the Local Civil Rules, and for good cause shown,

IT IS on this day of 11/18/20,

ORDERED THAT the next event in this matter will be _____; and

teleconference, plaintiff to initiate, 2/8/21 at 2pm

FURTHER ORDERED that this matter will proceed as follows:

1. **Fact Discovery Deadline.** Fact discovery is to remain open through **July 2, 2021**. All fact witness depositions must be completed by the close of fact discovery. No discovery is to be issued or engaged in beyond that date, except upon application and for good cause shown.
2. **Motions to Add New Parties.** Any motion to add new parties, whether by amended or third-party complaint, must be electronically filed no later than **April 30, 2021**. Only with the prior express written consent of all other

parties, a party may seek leave of Court to file such motion after April 30, 2021.

3. **Motions to Amend Pleadings.** Any motion to amend pleadings must be electronically filed no later than April 30, 2021.
4. **Rule 26 Disclosures.** The parties shall exchange disclosures pursuant to Rule 26 no later than November 11, 2020.
5. **Interrogatories.** The parties may serve interrogatories limited to 25 single questions including subparts, on or before February 18, 2021, which shall be answered within 30 days of service, but in any event by no later than April 1, 2021.
6. **Document Requests.** The parties may serve requests for production of documents on or before December 18, 2020, which shall be responded to within 30 days of service, but in any event by no later than February 18, 2021.
7. **Depositions.** The number of depositions to be taken by each side shall not exceed 10, not including expert depositions.
8. **Electronic Discovery.** The parties are directed to Rule 26(f), as amended, which, *inter alia*, addresses preservation of discoverable information, discovery of electronically stored information, and claims of privilege or work product protection. The parties are also directed to Local Civil Rule 26.1(d) which describes the obligations of counsel with regard to their clients' information management systems.
9. **Discovery Disputes.** Please refer to the Court's Civil Case Management Order.
10. **Motion Practice.** Please refer to the Court's Civil Case Management Order.
11. **Expert Reports.** All affirmative expert reports shall be delivered by August 31, 2021. All responsive expert reports shall be delivered by September 30, 2021. Depositions of all experts to be completed by November 17, 2021.
12. **Form and Content of Expert Reports.** All expert reports must comport

with the form and content requirements set forth in Rule 26(a)(2)(B). No expert shall testify at trial as to any opinions or base those opinions on facts not substantially disclosed in the expert's report.

13. **Extensions and Adjournments.** Please refer to the Court's Civil Case Management Order.
14. **Protective Orders.** Any proposed confidentiality order agreed to by the parties must strictly comply with Rule 26(c), Local Civil Rule 5.3, and applicable case law. Please also refer to the Court's Civil Case Management Order.
15. **Local Rules.** The parties are directed to the Local Civil Rules for any other matter not addressed by this Order or the Court's Civil Case Management Order.
16. **FAILURE TO COMPLY WITH THE TERMS OF THIS ORDER OR ANY OTHER ORDERS WILL RESULT IN SANCTIONS.**

s/Cathy L. Waldor

CATHY L. WALDOR
United States Magistrate Judge